

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: September 13, 2001

TO: Orange County Zoning Administrator

FROM: PDSD/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA01-0045 for Coastal Development Permit

PROPOSAL: Additions to an exiting single family dwelling with attached rental unit including: a new second story 114 square foot mezzanine and a 96 square feet deck at the rear of the structure; and, a new 307 square foot third level roof deck also at the rear of the structure.

LOCATION: In the community of Sunset Beach at 16371 South Pacific Ave. Second Supervisorial District

APPLICANT: Russ Godin, property owner
Kent Architects, agent

STAFF William V. Melton, Project Manager

CONTACT: Phone: (714) 834-2541 FAX: (714) 834-4652

SYNOPSIS: Current Planning Services Division recommends Zoning Administrator approval of PA01-0045 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The subject site is a beachfront lot on South Pacific Ave measuring 30 feet wide by 70 feet deep. This is a typical interior lot size in this portion of Sunset Beach. The lot was originally developed with a single-family dwelling that, according to County records, was constructed in 1950. Use Variance No. UV4434 was approved in 1959 to permit the construction of 648 square feet, one-bedroom rental unit above the garage that has a setback of 2 feet from the front property line (South Pacific Avenue). The rental unit was constructed and presently exists.

The current proposal is to add a second level mezzanine and deck, and a third level roof deck to the rear of the original single story structure. New stairs will be constructed on the first level to connect all new additions. The new stairway enclosure will be roofed with a maximum height of the roof at 31 feet above the finished floor of the existing structure and 11 feet – 7 inches above the finished floor of the new roof deck. No new construction will extend beyond the rear property line.

SURROUNDING LAND USE: (assumes the Pacific Ocean is to the west)

Direction	Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential”	Residential
North	SBR “Sunset Beach Residential”	Residential
South	SBR “Sunset Beach Residential”	Residential
East	SBP “Sunset Beach Parking”	Parking area and greenbelt
West	SBB “Sunset Beach Beach”	Ocean beach area

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to each property owner of record within 300 feet of the subject site, the LCP Board of Review and the California Coastal Commission. Coastal Development regulations also require mailing of the notice to the resident of a house within 100 feet of the subject site. However, the Post Office in Sunset Beach does not deliver mail directly to the homes. All U.S. Postal Service delivery is through post office boxes at the Sunset Beach Post Office. To satisfy Coastal Development requirements, a Notice of Hearing was posted at the Sunset Beach Post Office. Additionally, a Notice of Hearing was posted at the site as well as the Osborne Building. A copy of the planning application along with a copy of the proposed site plan were distributed for review and comment to five County divisions and the Sunset Beach LCP Review Board. As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions. The Sunset Beach LCP Review Board recommended project approval at their July, 2001 meeting.

CEQA COMPLIANCE:

The proposed project is Categorically Exempt (Class 1, repair or minor alteration of existing structures or facilities) from the requirements of CEQA. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The purpose of the proposed addition is to increase the amount of open deck area available to the residents of the original dwelling. The proposed mezzanine is a 3 feet wide “bridge” leading from the stairway to another 3 feet wide area that leads to the 4 feet wide by 24 feet wide outside deck. This mezzanine is in the shape of a “T” with each side of the bridge open to the floor below. The new stairs continue up from the 2nd level mezzanine to a 3rd level 19 feet by 24 feet roof deck. The stairway on the 3rd floor is enclosed and covered by a roof. The total height of the new stairway enclosure is 31 feet above

the finished floor elevation of the first floor. The land use regulations of the Sunset Beach Specific Plan permit a maximum building height of 35 feet above the first floor elevation.

The project is located in what is defined as an “appealable area” within the Coastal Zone. Almost all properties within the Sunset Beach Specific Plan are in the appealable area. In the appealable area, certain additions to existing dwellings may be exempt from obtaining approval of a Coastal Development Permit. Since the addition of the mezzanine and decks, which are not considered an increases of habitable living area, do not increase the floor area of the dwelling by more that 10 percent, the proposal would normally be exempt for the requirement of obtaining a Coastal Development Permit. However, the permitted exemptions listed in Zoning Code Section 7-9-118.5, states that “the construction of an additional story or loft” is not exempt from the requirement of obtaining a Coastal Development Permit prior to construction; and, therefore the reason for the applicant requesting approval of a Coastal Development Permit.

The proposal conforms to all setback and height requirements for residential development in Sunset Beach. The additions are setback 3 feet from the side property lines (3 feet is the standard minimum), zero feet from the rear property line (zero feet is the standard minimum) and the height standards are met as previously discussed. The rental unit, previously approved by UV4434, is not affected by this proposal and therefore its nonconformity is not affected. The proposal was reviewed and recommend for approval by the Sunset Beach LCP Review Board. Staff has received no correspondence or telephone calls in opposition to the proposal. Staff supports the proposal and recommends approval as follows.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA01-0045 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

WVM

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APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

- 1. Applicant's Letter of Explanation
- 2. Site Photos
- 3. Site Plans

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$245.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

In addition, this project is within the Coastal Zone and is an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.